

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:09cv423**

JERRY ANDERSON, )  
 )  
 Plaintiff, )  
 )  
 vs. ) ORDER  
 )  
 )  
 CALDWELL COUNTY SHERIFF'S )  
 OFFICE; *et. al.*, )  
 Defendants. )  
 )

**THIS MATTER** is before the Court on the Plaintiff's Motion to Strike Defendants' Reply and Alternative Motion to Permit Plaintiff's Reply and Supplemental Exhibits [Doc. 192].

The Caldwell County Defendants filed a thirty-seven page reply brief [Doc. 191] in opposition to the Plaintiff's Response to the Defendants' Motion for Summary Judgment [Doc. 185]. The Pre-Trial Order and Case Management Plan in this matter limits reply briefs to ten pages. [Doc. 37 at 6]. Although the Court did extend the page limit for the supporting and responsive briefs, no such extension was provided for reply briefs. As a result, the Court will strike the reply brief as well as the exhibits thereto but will provide an

additional time within which to file a complying reply brief.

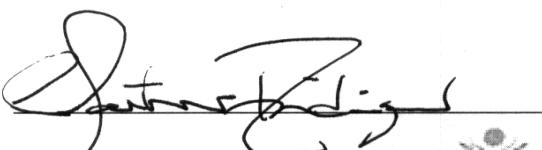
The function of a reply brief is not to reiterate arguments previously raised. Counsel are heartily encouraged to cease filing voluminous briefs and exhibits. If counsel are unable to self-monitor such conduct, the Court will enter an Order which prohibits any additional filings in this case absent prior permission from the Court.

**IT IS, THEREFORE, ORDERED** that the Plaintiff's Motion to Strike Defendants' Reply [Doc. 192] is hereby **GRANTED** and the Caldwell County Defendants' Reply Memorandum in Support of [their] Motion for Summary Judgment [Doc. 191] is hereby **STRICKEN**.

**IT IS FURTHER ORDERED** that the Plaintiff's Alternative Motion to Permit Plaintiff's Reply and Supplemental Exhibits [Doc. 192] is hereby **DENIED**.

**IT IS FURTHER ORDERED** that on or before November 18, 2011 the Caldwell County Defendants may, if appropriate, file a reply brief limited to ten pages, as required by the Case Management Order. [Doc. 37].

Signed: November 14, 2011



Martin Reidinger  
United States District Judge

